

ORDINANCE NO. 95-9

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE 2010 FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides for land use amendments related to small scale development activity to be made by local governments prior to submittal to the State Planning Agency for review and compliance; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 24, 1995, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 30, 1995 to review the recommendations of the Local Planning Agency; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.



1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

3 Part I. Amendment to the Future Land Use Atlas of the Land  
4 Use Element of the 1989 Comprehensive Plan

5 An Amendment to the Land Use Element's Future Land Use  
6 Atlas of the Palm Beach County 1989 Comprehensive Plan, is  
7 hereby adopted as follows:

8 A. Future Land Use Atlas page 1 is amended as follows:

9 Application No.: SCA 95-1 RES 1

10 Amendment: From 1.11 acres of Low  
11 Residential 1 (LR-1) to Low  
12 Residential 2 (LR-2).

13 General Location: East side of Loxahatchee River  
14 Road, approximately 1200 feet  
15 north of Pennock Point Road (a  
16 map is attached to this Ordinance  
17 as Map 1).

18 Size: 1.11 acres

19 Legal description: That part of the South 200 feet  
20 of Government Lot 5, Section 26,  
21 Township 40 South, Range 42 East,  
22 Palm Beach County, Florida, lying  
23 east of the County Road as now  
24 laid out and in use.

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26 Part II. Repeal of Laws in Conflict

27 All local laws and ordinances applying to the  
28 unincorporated area of Palm Beach County in conflict with any  
29 provision of this ordinance are hereby repealed to the extent of  
30 such conflict.

31 Part III. Severability

32 If any section, paragraph, sentence, clause, phrase, or  
33 word of this Ordinance is for any reason held by the Court to be  
34 unconstitutional, inoperative or void, such holding shall not  
35 affect the remainder of this Ordinance.

36 Part IV. Inclusion in the Code of Laws and Ordinances

37 The provision of this Ordinance shall become and be made a  
38 part of the code of laws and ordinances of Palm Beach County,



1 Florida. The Sections of the Ordinance may be renumbered or  
2 relettered to accomplish such, and the word "ordinance" may be  
3 changed to "section," "article," or any other appropriate word.

4 Part V. Effective Date

5 The effective date of this plan amendment shall be the date  
6 a final order is issued by the Department of Community Affairs  
7 or Administration Commission finding the amendment in compliance  
8 in accordance with Section 163.3187(1)(c), Florida Statutes,  
9 whichever occurs earlier. No development orders, development  
10 permits, or land uses dependent on this amendment may be issued  
11 or commence before it has become effective. If a final order of  
12 noncompliance is issued by the Administration Commission, this  
13 amendment may nevertheless be made effective by adoption of a  
14 resolution affirming its effective status, a copy of which  
15 resolutions shall be sent to the Department of Community  
16 Affairs, Bureau of Local Planning, 2740 Centerview Drive,  
17 Tallahassee, Florida 32399-2100.

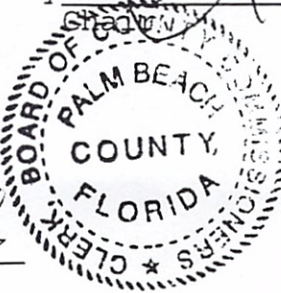
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19 **APPROVED AND ADOPTED** by the Board of County Commissioners  
20 of Palm Beach County, on the 30th day of March,  
21 1995.

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25 PALM BEACH COUNTY, FLORIDA,  
26 BY ITS BOARD OF COUNTY COMMISSIONERS

27  
28  
29 By [Signature]

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34 APPROVED AS TO FORM AND  
35 LEGAL SUFFICIENCY

36  
37  
38 [Signature]  
39 COUNTY ATTORNEY



40  
41  
42 DOROTHY H. WILKEN, CLERK  
43 Board of County Commissioners

44 By [Signature]  
45 DEPUTY CLERK

46  
47  
48 Acknowledgement by the Department of State of the State of  
49 Florida, on this, the 7th day of April,  
50 1995.

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53 Acknowledgement from the Department of State received on  
54 the 12th day of April, 1995, at  
55 11:38 A.M. and filed in the Office of the Clerk  
of the Board of County Commissioners of Palm Beach County,  
Florida.